

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DEBORAH DEFFAA,

Plaintiff,

– against –

PIVOTEL AMERICA, INC, and PIVOTEL  
GROUP PTY LIMITED,

Defendants.

**ORDER**

20 Civ. 5466

Ramos, D.J.:

The Court is in receipt of Plaintiff’s letter motion for a conference regarding the parties’ dispute over the designation of highly confidential material. *See* Doc. 54.

*First*, Plaintiff’s motion to file Exhibits 6–25 of its letter under seal is GRANTED. *See* Doc. 53.

*Second*, the record before the Court does not clearly set forth each category of Highly Confidential documents in dispute, nor the specific basis for Defendants’ position that “the Disclosure of such information to another Party or non-Party would create a substantial risk of serious financial, competitive or other injury that cannot be avoided by less restrictive means.” *See* Doc. 31, Protective Order, at ¶ 1.e. Defendants are therefore instructed to serve on Plaintiff’s counsel, by no later than July 20, 2021, an index that describes with specificity each category of documents for which Highly Confidential protection is sought, as well as the basis for such protection.

*Third*, the parties are directed to meet and confer regarding this index within one week of service on Plaintiff to further attempt to narrow the scope of this dispute.

*Fourth*, if the parties cannot resolve this dispute following additional meet and confer efforts, Defendants are instructed to seek a pre-motion conference regarding a motion for a protective order for any outstanding documents or categories of documents by August 6, 2021. It will be Defendants' burden to show that the materials merit Highly Confidential treatment.

The Clerk of Court is respectfully directed to terminate docket numbers 53–55.

It is SO ORDERED.

Dated: July 14, 2021  
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is positioned above a horizontal line.

EDGARDO RAMOS, U.S.D.J.